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10/523,029	09/07/2005	Oleg Stenzel	264626US0PCT	8401
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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER HANOR, SERENA L	
			ART UNIT	PAPER NUMBER
			1793	
			NOTIFICATION DATE	DELIVERY MODE
			07/31/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/523,029	Applicant(s) STENZEL ET AL.	
	Examiner SERENA L. HANOR	Art Unit 1793	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 5-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 21-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

i. Applicant's election with traverse of Group I, claims 1-4, in the reply filed on 01/31/2008 is acknowledged. The traversal is on the ground(s) that "no adequate reasons and/or examples have been provided to support a conclusion of patentable distinctiveness between the identified groups" and that "it has not been shown that a burden exists in searching the claims of the two groups" (see Remarks filed 01/31/2008). This is not found persuasive because the application's special technical feature, a precipitated silica with a BET surface area of 178-302 m²/g, a CTAB surface area of ≥170 m²/g, a DBP number of 200-300 g/(100g), and a Sears number V₂ of 10-35 ml/ (5g), is not novel over the prior art (see written restriction requirement issued in the Office Action dated 12/31/2007) (Goerl et al., U.S. Patent No. 5,705,137).

The requirement is still deemed proper and is therefore made FINAL.

ii. Claims 5-20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 01/31/2008.

Nonstatutory Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory

Art Unit: 1793

obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

i. Claims 1-4 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 13 of U.S. Patent No. 6,180,076 B1. Although the conflicting claims are not identical, they are not patentably distinct from each other because the precipitated silica of U.S. Patent No. 6,180,076 B1 has physical and chemical properties that fall within the ranges of those of the precipitated silica of the instant invention.

Properties	Instant Invention	6,180,076 B1
BET surface area (m ² /g)	190-302	120-300
CTAB surface area (m ² /g)	≥170, ≤300	100-300
DBP number (g/(100g))	200-300	150-300
Sear number V2 (ml/(5g))	10-20	6-25

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The person having ordinary skill in the art has the capability of understanding the scientific and engineering principles applicable to the claimed invention. The references of record in this application reasonably reflect this level of skill.

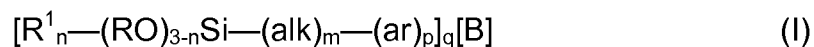
Art Unit: 1793

i. Claims 1, 2, 4 and 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goerl et al. (U.S. Patent No. 5,705,137).

Goerl et al. disclose a precipitated silica with the following characteristics (col. 2 lines 12-22 and 33-54, col. 7 lines 46-59, *Applicants' claims 1, 2 and 21-25*):

BET surface area	35-350 m ² /g
CTAB surface area	200-400 m ² /g
DBP number	230-380 g/(100g)
Sears number V ₂	20-30 ml.

Furthermore, precipitated silicas may have their surfaces modified by the following organosilanes (col. 3, *Applicants' claim 4*):



wherein:

B: -SCN, -SH, -Cl, -NH₂ (if q=1), or -Sx--(if q=2),

R and R¹: an alkyl group with 1 to 4 carbon atoms or a phenyl group, wherein all R and R¹ groups may be identical or different,

n: 0, 1, or 2,

alk: a divalent straight-chain or branched hydrocarbon group with 1 to 6 carbon atoms,

m: 0 or 1,

ar: an arylene group with 6 to 12 C atoms, preferably 6 C atoms,

Art Unit: 1793

- p: 0 or 1, with the proviso that p and n are not simultaneously 0,
- x: a number from 2 to 8,
- alkyl: a monovalent straight-chain or branched saturated hydrocarbon group with 1 to 20 carbon atoms, preferably 2 to 8 carbon atoms,
- alkenyl: a monovalent straight-chain or branched unsaturated hydrocarbon group with 2 to 20 carbon atoms, preferably 2 to 8 carbon atoms.

Goerl et al. differs from the instant application in that the ranges of the BET surface area, the CTAB surface area, the DBP number, and the Sears number overlap and/or lie in the ranges of those of the instant application.

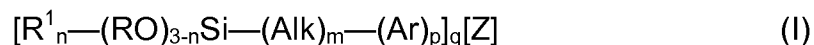
It would have obvious to one of ordinary skill in the art at the time of the invention **to have modified** the silica of Goerl et al. *by adjusting the ranges of the BET surface area, the CTAB surface area, the DBP number, and the Sears number* (col. 2 lines 12-22 and 33-54, col. 7 lines 46-59), as per Applicants' claims 1, 2 and 21-25, **because** in the case where the claimed ranges "overlap or lie inside ranges disclosed by the prior art" a *prima facie* case of obviousness exists. *In re Wertheim*, 541 F.2d 257, 191 USPQ 90 (CCPA 1976); *In re Woodruff*, 919 F.2d 1575, 16 USPQ2d 1934 (Fed. Cir. 1990). Furthermore, "[A] prior art reference that discloses a range encompassing a somewhat narrower claimed range is sufficient to establish a prima facie case of obviousness." *In re Peterson*, 315 F.3d 1325, 1330, 65 USPQ2d 1379, 1382-83 (Fed. Cir. 2003). See MPEP 2144.05 [R-5].

- ii. Claims 1-4 and 21-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uhrandt et al (U.S. Patent No. 6,180,076 B1).

Urhlant et al. is drawn to a precipitated silica with the following physical and chemical properties (col. 1 lines 40-50, col. 2 lines 5-15 and lines 25-34, col. 6 lines 15-52, col. 9 Example 8 Product name KS ex. 5, *Applicants' claims 1-3 and 21-28*):

BET surface area	190-300 m ² /g
CTAB surface area	170-300 m ² /g
DBP number	200-300 g/(100g)
Sears number V ₂	6-20 ml (consumption of 0.1 N NaOH)
WK coefficient	≤ 3.4, preferably ≤ 2.5
Degraded particle size	<1.0 μm
Non-degraded particle size	1.0-100 μm.

The precipitated silica is modified with organosilanes of the formulae I to III (col. 3-4, *Applicants' claim 4*):



wherein:

Z: -SCN, -SH, -Cl, -NH₂ (if q=1), or -Sx--(if q=2),

R and R¹: an alkyl group having 1 to 4 carbon atoms, the phenyl radical, wherein all the radicals R and R¹ can each have the same or a different meaning,

R: a C₁-C₄ -alkyl, C₁-C₄ -alkoxy group,

n: 0, 1, or 2,

Art Unit: 1793

- Alk: a divalent straight-chain or branched hydrocarbon radical having 1 to 6 carbon atoms,
- m: 0 or 1,
- Ar: an arylene radical having 6 to 12 C atoms, preferably 6 C atoms,
- p: 0 or 1, with the proviso that p and n do not simultaneously denote 0,
- x: a number from 2 to 8,
- alkyl: a monovalent straight-chain or branched unsaturated hydrocarbon radical having 1 to 20 carbon atoms, preferably 2 to 8 carbon atoms,
- alkenyl: a monovalent straight-chain or branched unsaturated hydrocarbon radical having 2 to 20 carbon atoms, preferably 2 to 8 carbon atoms.

Urhlant et al. differs from the instant application in that the ranges of the BET surface area, the CTAB surface area, the DBP number, and the Sears number overlap and/or lie in the ranges of those of the instant application.

It would have obvious to one of ordinary skill in the art at the time of the invention **to have modified** the silica of Urhlant et al. *by adjusting the ranges of the BET surface area, the CTAB surface area, the DBP number, and the Sears number* (col. 1 lines 40-50, col. 2 lines 5-15 and lines 25-34, col. 6 lines 15-52, col. 9 Example 8 Product name KS ex. 5), as per Applicants' claims 1, 2 and 21-25, **because** in the case where the claimed ranges "overlap or lie inside ranges disclosed by the prior art" a *prima facie* case of obviousness exists. *In re Wertheim*, 541 F.2d 257, 191 USPQ 90 (CCPA 1976); *In re Woodruff*, 919 F.2d 1575, 16 USPQ2d 1934 (Fed. Cir. 1990). Furthermore, "[A] prior art reference that discloses a range encompassing a somewhat narrower claimed

Art Unit: 1793

range is sufficient to establish a prima facie case of obviousness.” *In re Peterson*, 315 F.3d 1325, 1330, 65 USPQ2d 1379, 1382-83 (Fed. Cir. 2003). See MPEP 2144.05 [R-5].

iii. Claims 1, 2 and 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindner et al. (U.S. Pre-Grant Publication 2003/0003040 A1).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

Lindner et al. discloses a precipitated silica with the following characteristics (p. 2 [0027-0031], claims 1 and 4, *Applicants’ claims 1, 2 and 21-25*):

BET surface area	190-302 m ² /g
CTAB surface area	170-300 m ² /g
DBP number	200-300 g/(100g)
Sears number V ₂	20 ml.

Lindner et al. differs from the instant application in that the ranges of the BET surface area, the CTAB surface area, the DBP number, and the Sears number overlap and/or lie in the ranges of those of the instant application.

It would have obvious to one of ordinary skill in the art at the time of the invention **to have modified** the silica of Lindner et al. *by adjusting the ranges of the BET surface*

Art Unit: 1793

area, the CTAB surface area, the DBP number, and the Sears number (p. 2 [0027-0031], claims 1 and 4), as per Applicants' claims 1, 2 and 21-25, **because** in the case where the claimed ranges "overlap or lie inside ranges disclosed by the prior art" a *prima facie* case of obviousness exists. *In re Wertheim*, 541 F.2d 257, 191 USPQ 90 (CCPA 1976); *In re Woodruff*, 919 F.2d 1575, 16 USPQ2d 1934 (Fed. Cir. 1990). Furthermore, "[A] prior art reference that discloses a range encompassing a somewhat narrower claimed range is sufficient to establish a prima facie case of obviousness." *In re Peterson*, 315 F.3d 1325, 1330, 65 USPQ2d 1379, 1382-83 (Fed. Cir. 2003). See MPEP 2144.05 [R-5].

Response to Arguments

Applicants' arguments filed 06/20/2008 have been fully considered but they are not persuasive.

i. *Applicants' traverse the rejection of claims 1-4 under 35 U.S.C. 102(b) as anticipated by Urhlandt et al. because the parameters of the properties of the precipitated silica are broader and inclusive of and/or overlap with the corresponding parameters of the instant claims and the examples of Uhrlandt et al. do not anticipate the present claims. Applicants set forth that the instant invention has been carefully selected from the prior art ranges to achieve an optimized and unexpected silica. Furthermore, Urhlandt et al. disclose their precipitated silicas for use in tires but do not distinguish between tires intended for different driving profiles. In addition, the newly-submitted Wehmeier Declaration provides a new Example A, wherein the inventive*

silica according to the instant example 1 is compared to the silicas according to examples 4 or 5 of Uhrlandt et al. in order to demonstrate the alleged superior qualities of the instant silica.

As per Applicants' suggestion, the rejection under 35 U.S.C. 102(b) as anticipated by Uhrlandt et al. has been changed to a rejection under 35 U.S.C. 103(a), as Uhrlandt et al. present a case of *prima facie* obviousness. In the case where the claimed ranges "overlap or lie inside ranges disclosed by the prior art" a *prima facie* case of obviousness exists. *In re Wertheim*, 541 F.2d 257, 191 USPQ 90 (CCPA 1976); *In re Woodruff*, 919 F.2d 1575, 16 USPQ2d 1934 (Fed. Cir. 1990). Furthermore, "[A] prior art reference that discloses a range encompassing a somewhat narrower claimed range is sufficient to establish a prima facie case of obviousness." *In re Peterson*, 315 F.3d 1325, 1330, 65 USPQ2d 1379, 1382-83 (Fed. Cir. 2003). See MPEP 2144.05 [R-5].

In addition, the intended use of the precipitated silicas carries no patentable weight. There is no mention of tires in the claims (the claims that do present a tire have been withdrawn and the restriction requirement has been made final). Uhrlandt et al. are concerned with improved dispersability in rubber mixtures because this results in a lower abrasion in the tire mixture, which increases the life of the tire (col. 9 lines 59-62, col. 10 lines 35-37).

With regards to Wehmeier Declaration providing a new Example A, said 1.132 Declaration has been considered. However, no critical distinction has been shown between the parameters listed in Table D on p. 5 of the 1.132 Declaration in comparing

Art Unit: 1793

the examples of Uhrlandt et al. to example 1 of the present invention. For example, note that the vulcanization times are all the same and that the rest of the parameters are either the same or very similar. The fact that the high-temperature tearing resistance, tested according to ASTM D 624, is higher than that of the silicas of Examples 4 and 5 of Uhrlandt et al. is irrelevant, because the disclosed precipitated silicas of Uhrlandt et al. overlap those of the instant invention, Uhrlandt et al. present a *prima facie* case of obviousness, and a patent's disclosure is not limited to its examples. "The use of patents as references is not limited to what the patentees describe as their own inventions or to the problems which with they are concerned. They are part of the literature of the art, relevant for all they contain." *In re Heck*, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting *In re Lemelson*, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)). A reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art, including nonpreferred embodiments. See MPEP 2123 [R-5]. The prior art of record discloses and/or suggests the ranges claimed by the Applicants. One skilled in the art could have reasonably selected and optimized the claimed properties from the prior art to make the instant invention.

ii. *Applicants argue that the examples of Goerl et al. do not meet all the property parameters of the instant claims. Specifically, that all of the examples of both Goerl et al. patents have a Sears number of greater than 20.*

A patent's disclosure is not limited to its examples. "The use of patents as references is not limited to what the patentees describe as their own inventions or to the

Art Unit: 1793

problems which with they are concerned. They are part of the literature of the art, relevant for all they contain." *In re Heck*, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting *In re Lemelson*, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)). A reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art, including nonpreferred embodiments. See MPEP 2123 [R-5]. Furthermore, while the examples of Goerl et al. have Sears numbers that are greater than 20, Goerl et al. disclose a Sears number of 20 or greater (col. 2 lines 12-22 and 33-54 of U.S. Patent No. 5,705,137), which overlaps and/or lies with the ranges of the instant invention. Therefore, Goerl et al. present a *prima facie* case of obviousness.

iii. *Applicants argue that the silica of Lindner et al. must have a Sears number greater than 20.*

Lindner et al. disclose that the Sears number **may** be greater than 20, but they claim a Sears number of 20-45 (p. 2 [0033], p. 5 claim 4). A patent's disclosure is not limited to its examples or preferred embodiments. "The use of patents as references is not limited to what the patentees describe as their own inventions or to the problems which with they are concerned. They are part of the literature of the art, relevant for all they contain." *In re Heck*, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting *In re Lemelson*, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)). A reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art, including nonpreferred embodiments. See MPEP 2123 [R-5].

iv. Applicants traverse the provisional rejections on the ground of non-statutory obviousness-type double patenting over co-pending Applications 10/522,672, 11/517,395, and 11/517,396, because the instantly claimed Sears parameter falls out of range of the Sears parameters of said co-pending applications.

Said provisional rejections have been withdrawn. However, Examiner would like to point out that a *prima facie* case of obviousness exists where the claimed ranges and prior art ranges do not overlap but are close enough that one skilled in the art would have expected them to have the same properties. *Titanium Metals Corp. of America v. Banner*, 778 F.2d 775, 227 USPQ 773 (Fed. Cir. 1985). See MPEP 2144.05 [R-5]. Examiner sets forth that the co-pending applications disclose the use of precipitated silicas with similar and overlapping parameters in tire mixtures, except for the Sears number.

v. Applicants traverse the provisional rejection on the ground of non-statutory obviousness-type double patenting over co-pending Applications 10/542,850 in view of the submitted Terminal Disclaimer.

The terminal disclaimer filed on 6/20/2008 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of any patent granted on Application No. 10/542,850 has been reviewed and is accepted. The terminal disclaimer has been recorded.

The Terminal Disclaimer under 37 CFR 1.132 filed on 06/20/2008 is sufficient to overcome the nonstatutory obviousness-type double patenting rejection of claims 1-4 based upon co-pending application no. 10/542/850.

vi. *Applicants traverse the rejection on the ground of non-statutory obviousness-type double patenting over Urhlandt et al. because the disclosure of Urhlandt et al. is irrelevant to the instant invention.*

In addition to the fact that the disclosure of Urhlandt et al. is relevant to the instant invention, the instant claims 1-4 are not patentably distinct from claims 1 and 13 of Urhlandt et al. As has already been shown, Urhlandt et al. presents a case of *prima facie* obviousness over the instant invention.

Conclusion

Claims 1-4 and 21-28 have been rejected.

Claims 5-20 are withdrawn as being drawn to a non-elected invention. The Restriction Requirement was made final in the Office Action dated 4/18/2008 and is maintained.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SERENA L. HANOR whose telephone number is (571)270-3593. The examiner can normally be reached on Monday - Thursday 8:00 AM - 5:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley Silverman can be reached on (571) 272-1358. The fax phone

Art Unit: 1793

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SLH

/Timothy C Vanoy/
Primary Examiner, Art Unit 1793